

REMARKS

Reconsideration of the application is respectfully requested for the following reasons:

1. Formalities

The specification and abstract have been revised to place the application in proper U.S. format. Because the changes are formal in nature, it is respectfully submitted that the changes do not involve new matter.

2. Rejection of Claims 1-9 Under 35 USC §102(b) in view of U.S. Patent No. 4,005,571 (Wolff)

This rejection is respectfully traversed on the grounds that the Wolff patent fails to disclose or suggest a countdown time that counts down to a **next** integral time point selected from a plurality of **predetermined** integral time points, as recited in claim 1, by calculating the difference between the current time and the **next** integral time point. The predetermined integral time points that serve as potential targets for the countdown may, for example, be time points that are on the hour, on the a half hour, or on the quarter hour, as recited in claims 4 and 10. **In other words, the Wolff patent fails to disclose or suggest a countdown timer capable of counting down to the nearest hour, half hour, or quarter hour, or any other such integral time point, by simply selecting from among predetermined time points on a time point selector, as claimed.**

Instead, the Wolff patent requires setting of a **start** and an **end** time. Instead of simply selecting a nearest integral time point to count down to, Wolff requires that the user enter a start date and end date, and then counts the elapsed time interval as a number of days to the end date. While this might be an acceptable and convenient method of entering dates, it is not suitable for use in a countdown timer that measures elapsed time to, for example, the nearest quarter hour. By the time the beginning and ending times are set, five minutes of actual time might have elapsed, rendering the countdown time interval too short. According to the claimed invention,

on the other hand, the user simply needs to turn the selector to, for example, “on the half hour,” and the device will count down to the next half hour. Neither the Wolff patent nor any of the other references of record begins the countdown interval by comparing the selected target (next integral time point) with the current time.

According to the invention, if the current time is 8:10 and the user selects “one hour,” the timer will automatically count down fifty minutes to the next hour, with no need to enter a start time, or to enter “9:00.” If the user select “half hour,” then the device will automatically count the 20 minutes to 8:30 without further data entry. The calender reminder countdown timer of Wolff does not operate in this manner, nor is there a need for it to operate in this manner. In fact, it is unlikely that there is a need for a countdown timer that counts down to the *next* calender day, and thus modification of the timer of Wolff to correspond to the claimed invention, by substituting an integral time point selector for the start and ending date entry of Wolff, makes no sense.

Because the Wolff patent does not disclose all elements recited in claims 1-9, withdrawal of the rejection under 35 USC §102(b) is respectfully requested.

3. Rejection of Claim 10 Under 35 USC §103(a) in view of U.S. Patent Nos. 4, 005,571 (Wolff) and 4,195,220 (Bristol)

This rejection is respectfully traversed on the grounds that the Bristol patent, like the Wolff patent, fails to disclose timer that counts down to the next integral time point, the integral time point being selected from a plurality of different predetermined integral time points (claim 1), such as “on the hour,” “on the half hour,” or “on the quarter hour” (claim 10), as discussed above. In addition, the Bristol patent fails to disclose a buffer that stores the selected integral time point, as recited in claim 10.

Instead, the Bristol patent discloses a buffer for storing the output of counters. The counters are used in an elapsed time recorder for recording the time spent on various projects.

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Nowhere does the Bristol patent suggest counting *down* to a next integral time point by calculating the interval between the current time and the next integral time point, much less a buffer for storing the selected integral time point in order to make the selected time available for use in calculating the countdown interval.

Accordingly, it is respectfully submitted that the subject matter of claim 10 is patentable over the proposed combination of the Wolff and Bristol patents, and withdrawal of the rejection of claims 10 under 35 USC §103(a) is respectfully requested.

Having thus overcome each of the rejections made in the Official Action, withdrawal of the rejections and expedited passage of the application to issue is requested.

Respectfully submitted,

BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to read 'Bj' followed by a stylized flourish and a long horizontal line.

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